

REMARKS

Request for Continued Examination (RCE) and entry of the foregoing and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

Claims 1-7 and 9-27 were pending in this application. In this response, claims 1 and 6 have been amended and claim 5 canceled. Thus, claims 1-4, 6-7 and 9-27 remain pending.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: the original claims.

Entry of the foregoing is appropriate pursuant to 37 C.F.R. § 1.116 for at least the following reasons: First, the amendments address the new grounds of rejection based on Gell et al. Second, the amendments raise no new issues that would necessitate further search and/or substantive reexamination. Third, at least one feature relied upon in Gell et al. has been antedated and thus the current rejection is deficient in addressing all of the features of the independent claim.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-7 and 9-27 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2004/0229031 to Gell et al. (hereafter "*Gell et al.*") in view of U.S. Patent Publication No. 2004/0060967 to Yang et al. (hereafter "*Yang et al.*") as applied to claims 1 and 12 above, for the reasons presented at paragraph 2 of the Official Action. This rejection is respectfully traversed.

1. The date of invention of the present application based on a perfected priority date is prior to the date relied-upon features of the *Gell et al.* reference is available as prior art

Claim 1 recites, among other features, that the steel strip material has a surface roughness of $Ra < 0.2$ mm.

Gell et al. is cited in the Office Action as disclosing this feature (see, page 2 of the Office Action). However, the disclosure in *Gell et al.* of a surface roughness (Ra) (see, para. [0041]) is only present in that application as of the filing date of January 12, 2004. A review of the provisional application s/n 60/439,288 (copy attached), which is the provisional application relied upon by *Gell et al.*, reveals that no such disclosure was included as of the filing of the provisional application. Thus, at least this feature relied upon in the rejection is only accorded a filing date of January 12, 2004.

Applicants note that the present application is a national stage filing under 35 U.S.C. § 371. The application was filed in English and designated the United States. Accordingly, the U.S. filing date of the present application is the international filing date, i.e., December 3, 2004. Furthermore, the present application claims priority to SE 0303281-0, filed December 5, 2003. The priority document has been submitted to and acknowledged by the USPTO in the Notice of Acceptance dated June 13, 2007. The priority document SE 0303281-0 is in English. Thus, Applicant has perfected the priority claim in this application.

The filing date of the foreign priority document in this application antedates at least the disclosure of a surface roughness in the *Gell et al.* reference, i.e., is before January 12, 2004. Thus, at least to this feature in the independent claims, the *Gell et al.* reference is not available as prior art to the present application and rejections of claims including this feature, i.e., all pending claims, based upon the *Gell et al.* reference are improper.

For at least the above reasons, Applicant respectfully requests withdrawal of all rejections relying in whole or in part upon the *Gell et al.* reference, e.g., the rejection of claims 1-4, 6-7 and 9-27.

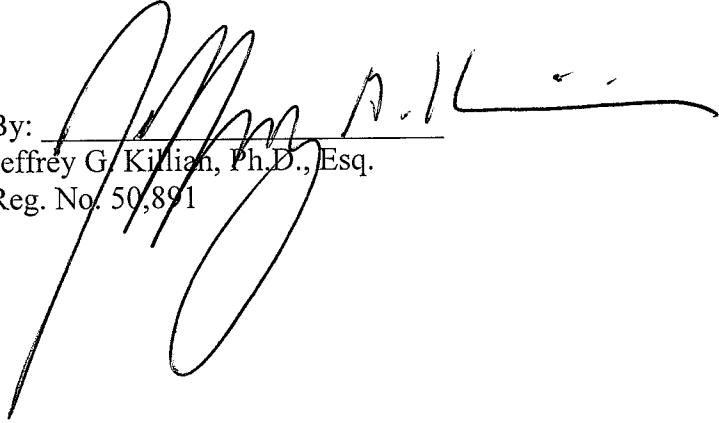
CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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